

HOUSE BILL NO. 265

INTRODUCED BY E. ARNTZEN

A BILL FOR AN ACT ENTITLED: "AN ACT COMBATING THE WIDESPREAD AND INCREASING PROBLEM WITH METHAMPHETAMINE AND OTHER DRUGS BY INCLUDING CERTAIN DRUG OFFENSES IN THE EMPLOYMENT AND RESIDENCY RESTRICTIONS THAT MUST BE PLACED ON CERTAIN CONVICTED DEFENDANTS; REQUIRING RESTRICTIONS ON PERSONS CONVICTED OF A VIOLENT OFFENSE OR CERTAIN DRUG OFFENSES WORKING IN THE PROXIMITY OF SCHOOLS, PRESCHOOLS, CHURCHES, AND PARKS; AND AMENDING SECTION 46-18-255, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 46-18-255, MCA, is amended to read:

"46-18-255. Sentence upon conviction -- restriction on employment and residency. (1) A judge sentencing a person upon conviction of a sexual or violent offense or upon conviction under 45-9-101, 45-9-103, 45-9-107, 45-9-109, 45-9-110, 45-9-125, or 45-9-132 shall, as a condition to probation, parole, or deferment or suspension of sentence, impose upon the defendant reasonable employment or occupational prohibitions and restrictions designed to protect the class or classes of persons containing the likely victims of further offenses by the defendant, including restrictions on the defendant's working in the proximity of a private or public elementary or high school, preschool as defined in 20-5-402, licensed day-care center, church, or park maintained by a city, town, or county.

(2) In addition to any restriction on employment imposed under subsection (1), a judge sentencing a person convicted of a sexual offense involving a minor and designated as a level 3 offender under 46-23-509, convicted of a violent offense involving a minor, or convicted under 45-9-101, 45-9-103, 45-9-107, 45-9-109, 45-9-110, 45-9-125, or 45-9-132 shall, as a condition to probation, parole, or deferment or suspension of sentence, impose upon the defendant restrictions on the defendant's residency in the proximity of a private or public elementary or high school, preschool as defined in 20-5-402, licensed day-care center, church, or park maintained by a city, town, or county."

- END -